

**Proposed Substitute  
Bill No. 238**

LCO No. 2818

**AN ACT CONCERNING ADOPTION OF MUNICIPAL ORDINANCES  
REGARDING AUTOMATIC FIRE EXTINGUISHING SYSTEMS IN NEW  
RESIDENTIAL BUILDINGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 29-315 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective October 1, 2016*):

3       (a) (1) When any building is to be built having more than four  
4       stories and is to be used for human occupancy, such building shall  
5       have an automatic fire extinguishing system approved by the State Fire  
6       Marshal on each floor.

7       (2) When any building is (A) to be built as an educational  
8       occupancy, (B) eligible for a school building project grant pursuant to  
9       chapter 173, and (C) put out to bid on or after July 1, 2004, such  
10      building shall have an automatic fire extinguishing system approved  
11      by the State Fire Marshal on each floor. As used in this subsection,  
12      "educational occupancy" has the same meaning as provided in the Fire  
13      Safety Code.

14      (3) The State Fire Marshal and the State Building Inspector may  
15      jointly grant variations or exemptions from, or approve equivalent or  
16      alternate compliance with, the requirement in subdivision (2) of this

17 subsection, where strict compliance with such requirement would  
18 entail practical difficulty or unnecessary hardship or is otherwise  
19 adjudged unwarranted, provided (A) any such variation or exemption  
20 or approved equivalent or alternate compliance shall, in the opinion of  
21 the State Fire Marshal and the State Building Inspector, secure the  
22 public safety, and (B) the municipality in which such educational  
23 occupancy is located complies with all other fire safety requirements in  
24 the Fire Safety Code and the State Building Code with respect to such  
25 occupancy. If either the State Fire Marshal or the State Building  
26 Inspector determines that a variation or exemption from, or an  
27 equivalent or alternate compliance with, said subdivision (2) should  
28 not be permitted, no such variation or exemption, or equivalent or  
29 alternate compliance shall be granted or approved. Any determination  
30 made pursuant to this subdivision by the State Fire Marshal and the  
31 State Building Inspector shall be in writing. Any person aggrieved by  
32 any decision of the State Fire Marshal or the State Building Inspector,  
33 or both, may appeal to the Codes and Standards Committee no later  
34 than fourteen days after issuance of the decision. Any person  
35 aggrieved by any ruling of the Codes and Standards Committee may  
36 appeal to the superior court for the judicial district wherein such  
37 occupancy is located.

38 (b) Each hotel or motel having six or more guest rooms and  
39 providing sleeping accommodations for more than sixteen persons for  
40 which a building permit for new occupancy is issued on or after  
41 January 1, 1987, shall have an automatic fire extinguishing system  
42 installed on each floor in accordance with regulations adopted by the  
43 Commissioner of Administrative Services. Such regulations shall be  
44 incorporated into the State Fire Prevention Code.

45 (c) Not later than October 1, 1992, each hotel or motel having more  
46 than four stories shall have an automatic fire extinguishing system  
47 approved by the State Fire Marshal on each floor.

48 (d) (1) Not later than January 1, 1995, each residential building  
49 having more than four stories and occupied primarily by elderly

50 persons shall have an automatic fire extinguishing system approved by  
51 the State Fire Marshal on each floor. Not later than January 1, 1994, the  
52 owner or manager of or agency responsible for such residential  
53 building shall submit plans for the installation of such system, signed  
54 and sealed by a licensed professional engineer, to the local fire marshal  
55 within whose jurisdiction such building is located or to the State Fire  
56 Marshal, as the case may be. For the purposes of this subsection, the  
57 phrase "occupied primarily by elderly persons" means that on October  
58 1, 1993, or on the date of any inspection, if later, a minimum of eighty  
59 per cent of the dwelling units available for human occupancy in a  
60 residential building have at least one resident who has attained the age  
61 of sixty-five years.

62 (2) Each residential building having more than twelve living units  
63 and occupied primarily by elderly persons, as defined in subdivision  
64 (1) of this subsection, or designed to be so occupied, for which a  
65 building permit for new occupancy is issued or which is substantially  
66 renovated on or after January 1, 1997, shall have an automatic fire  
67 extinguishing system approved by the State Fire Marshal on each floor.

68 (e) Any municipality may adopt an ordinance pursuant to section 7-  
69 148 requiring that each residential building intended for occupancy by  
70 one or two families and for which a building permit for new  
71 occupancy is issued after the adoption of such ordinance shall have an  
72 automatic fire extinguishing system approved by the local fire marshal  
73 on each floor and installed pursuant to the standards concerning the  
74 installation of such systems in residential buildings as set forth by the  
75 National Fire Protection Association. Any such ordinance shall specify  
76 procedures for notifying the local fire marshal when any such  
77 automatic fire extinguishing system undergoes repairs or is  
78 disconnected from its water source.

79 [(e)] (f) No building inspector shall grant a building permit unless a  
80 fire extinguishing system as required by subsection (a) or (b) of this  
81 section is included in the final, approved building plans and no fire  
82 marshal or building inspector shall permit occupancy of such a

83 building unless such fire extinguishing system is installed and  
84 operable. The State Fire Marshal may require fire extinguishing  
85 systems approved by [him] said marshal to be installed in other  
86 occupancies where they are required in the interest of safety because of  
87 special occupancy hazards.

88     ~~[(f)]~~ (g) (1) Not later than July 31, 2006, each chronic and  
89 convalescent nursing home or rest home with nursing supervision  
90 licensed pursuant to chapter 368v shall have a complete automatic fire  
91 extinguishing system approved by the State Fire Marshal installed  
92 throughout such chronic and convalescent nursing home or rest home  
93 with nursing supervision. Not later than July 1, 2004, the owner or  
94 authorized agent of each such home shall submit plans for the  
95 installation of such system, signed and sealed by a licensed  
96 professional engineer, to the local fire marshal and building official  
97 within whose jurisdiction such home is located or to the State Fire  
98 Marshal, as the case may be, and shall apply for a building permit for  
99 the installation of such system. The owner or authorized agent shall  
100 notify the Department of Public Health of such submission.

101     (2) On or before July 1, 2005, and quarterly thereafter, each chronic  
102 and convalescent nursing home or rest home with nursing supervision  
103 licensed pursuant to chapter 368v shall submit a report to the local fire  
104 marshal describing progress in installing the automatic fire  
105 extinguishing systems required under subsection (a) of this section. In  
106 preparing such report each such nursing home or rest home shall  
107 conduct a facility risk analysis. Such analysis shall include, but not be  
108 limited to, an analysis of the following factors: Type of construction,  
109 number of stories and residents, safeguards in the facility, types of  
110 patients, travel distance to exits and arrangement of means of egress.  
111 After review of the report, the local fire marshal may require the  
112 nursing home or rest home to implement alternative fire safety  
113 measures to reduce the level of risk to occupants before installation of  
114 automatic fire sprinklers is completed.

115     ~~[(g)]~~ (h) Any person who fails to install an automatic fire

116 extinguishing system in violation of any provision of this section,  
117 except subsection (e) of this section, shall be subject to a civil penalty of  
118 not more than one thousand dollars for each day such violation  
119 continues. The Attorney General, upon request of the State Fire  
120 Marshal, shall institute a civil action to recover such penalty.

121       Sec. 2. Subsections (a) to (d), inclusive, of section 10a-194i of the  
122 general statutes are repealed and the following is substituted in lieu  
123 thereof (*Effective October 1, 2016*):

124       (a) The Connecticut Health and Educational Facilities Authority  
125 shall develop a loan program for the purpose of providing financial  
126 assistance to owners of chronic and convalescent nursing homes or rest  
127 homes with nursing supervision licensed pursuant to chapter 368v for  
128 costs incurred in installing automatic fire extinguishing systems,  
129 including smoke detectors and warning equipment, approved by the  
130 State Fire Marshal and required by subsection [(f)] (g) of section 29-315,  
131 as amended by this act.

132       (b) There is established, within the Connecticut Health and  
133 Educational Facilities Authority, a revolving loan account for the  
134 purpose of the loan program authorized by this section. The revolving  
135 loan account shall contain any moneys provided or required by law to  
136 be deposited in the account. The authority may accept contributions  
137 from any source, public or private, for deposit in the account for  
138 purposes of the loan program.

139       (c) Loans made pursuant to this section shall have such terms and  
140 conditions, and shall be subject to such eligibility, loan approval, credit  
141 and other underwriting requirements and criteria as are determined by  
142 the authority to be reasonable in light of the objectives of the loan  
143 program.

144       (d) On or before October 1, 2006, and annually thereafter so long as  
145 the loan program remains active, the authority shall submit to the joint  
146 standing committees of the General Assembly having cognizance of  
147 matters relating to public health, public safety and security and

148 housing a report, in accordance with section 11-4a, setting forth the  
149 following information: (1) A list of the loans made under the program  
150 and a general description of the terms and conditions of such loans  
151 and the repayment history; (2) an assessment of the impact of such  
152 loans on compliance with the requirements of subsection [(f)] (g) of  
153 section 29-315, as amended by this act; (3) the need for additional  
154 funding for the loan program authorized by this section; and (4) such  
155 other information as the authority deems relevant to evaluating the  
156 success of the loan program in meeting its objectives.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	29-315
Sec. 2	<i>October 1, 2016</i>	10a-194i(a) to (d)